

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

LIBERTY MUTUAL INSURANCE COMPANY

PLAINTIFF

V.

CAUSE NO. 3:09-CV-00722-CWR-LRA

COURTNEY SAVOIE

DEFENDANT

ORDER GRANTING DEFAULT JUDGMENT

The above-styled matter is before the Court on the Amended Motion for Default Judgment¹ of plaintiff Liberty Mutual Insurance Company. After repeated efforts to solicit the defendant's participation in this case, the Court concludes that the motion should be granted.

On December 1, 2009, Liberty Mutual Insurance Company (hereinafter "Liberty Mutual") filed suit against Courtney Savoie (hereinafter "Savoie") in U.S. District Court² to recover the costs of an insurance claim made following a traffic accident purportedly caused by Savoie.³ The summons returned unexecuted⁴ on March 26, 2010, and Liberty Mutual filed an Amended Complaint⁵ on April 5, 2010. Service was performed personally on Savoie at the Central Mississippi Correctional Facility on April 13, 2010.⁶

¹ Amended Motion for Default Judgment [Docket No. 15].

² Complaint [Docket No. 1]. Liberty Mutual invoked federal jurisdiction on the basis of the parties' diversity and an amount in controversy exceeding \$75,000. *See* 28 U.S.C. § 1332.

³ Complaint at 2-3.

⁴ Process Receipt and Return [Docket No. 4].

⁵ Amended Complaint [Docket No. 5].

⁶ Return of Service [Docket No. 7] at 2.

When Savoie failed to answer the Complaint, Liberty Mutual moved for an entry of default⁷ on June 16, 2010, and one day later, the clerk granted the request.⁸

On March 14, 2011, Liberty Mutual moved for a default judgment,⁹ and it amended the motion one day later.¹⁰

On April 27, 2011, this Court entered a Text Order observing that Savoie had not yet filed any response to Liberty Mutual's motion for default judgment, and it ordered her to do so no later than June 27, 2011. She did not. However, the Court later noted the absence of any record suggesting that a copy of the April 27 Text Order had been mailed to Savoie, and out of an abundance of caution, the Court entered a second Text Order on July 5, 2011, requiring Savoie to respond to the motion for default judgment no later than September 6, 2011. Again she did not do so.

Therefore, the Court finds that Liberty Mutual is entitled to and is hereby granted a default judgment. A Final Judgment will be entered accordingly.

SO ORDERED this Twenty-Sixth day of September 2011.

/s/ Carlton W. Reeves
Hon. Carlton W. Reeves
United States District Court Judge

⁷ Motion for Entry of Default [Docket No. 8].

⁸ Clerk's Entry of Default [Docket No. 9].

⁹ Motion for Default Judgment [Docket No. 14].

¹⁰ Amended Motion for Default Judgment.